

# COVINGTON & BURLING

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ORIGINAL

September 9, 2004

## By Hand Delivery

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

RECEIVED

SEP 10 2004

Federal Communications Commission  
Office of Secretary

**Re: Ex Parte Notice in CS Docket Nos. 98-120 and 00-96;  
MM Docket No. 99-360; and MB Docket No. 03-15**

Dear Ms. Dortch:

On September 8, 2004, Jack Sander, Executive Vice President of Belo Corporation, Bob Lee, President and General Manager of WDBJ TV, and James Yager, Chief Executive Officer of Barrington Broadcasting Co., Jonathan Blake and the undersigned of Covington & Burling, met with Commissioner Abernathy and her Legal Advisor, Stacy Fuller; with Commissioner Adelstein and his Legal Advisor, Johanna Shelton; with Commissioner Copps and his Senior Legal Advisor, Jordan Goldstein; and with Commissioner Martin and his Legal Advisor, Catherine Bohigian. At these meetings, we discussed broadcasters' public interest responsibilities and, in particular, the need for flexibility to ensure that any such requirements do not hamper a broadcaster's ability to serve the particular needs of its community and to assure that broadcasters continue to have the freedom necessary to be creative and to provide diverse options to viewers. We also discussed the Ferree Plan and in particular the harms to consumers that would result from allowing cable operators to down-convert broadcasters' signals at the headend so that the benefit of HDTV and other digital services would be denied to cable viewers and from allowing cable operators to strip out free material from the broadcast signal so that multicast services would be neither developed nor made accessible to consumers.

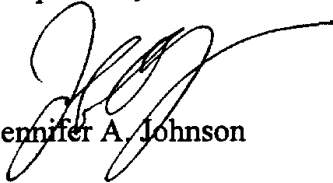
Pursuant to Section 1.1206(b) of the Commission's Rules, an original and seven copies (two copies for each docket) of this letter are being submitted to the Secretary's office, with a copy to those at the FCC who participated in the meetings.

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Ms. Marlene H. Dortch  
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Please direct any questions regarding this notice to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Johnson', with a long horizontal flourish extending to the right.

Jennifer A. Johnson

cc: Commissioner Abernathy  
Commissioner Adelstein  
Commissioner Copps  
Commissioner Martin  
Stacy Fuller  
Johanna Shelton  
Jordan Goldstein  
Catherine Bohigian